

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Devlin, et al.

Filed: April 5, 2001

Serial No.: 09/827,045

Title: Method for Automatically Storing and Reprocessing Patient Specimens in an Automatic Clinical Analyzer

Atty Docket No.: DCS-9119A



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) Group Art Unit: Unknown

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) Examiner: Unknown  
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**PETITION UNDER 37 C.F.R. §1.78(a)(3) FOR ACCEPTANCE OF AN UNINTENTIONALLY DELAYED CLAIM FOR PRIORITY**

Assistant Commissioner of Patents  
Washington, D.C. 20231  
Office of Petitions  
Box DAC

Dear Sir:

By the preliminary amendment filed concurrently herewith, the applicants of the above-captioned application are claiming priority under 35 U.S.C. § 120 and 37 C.F.R. § 1.78 to commonly assigned copending U.S. App. Ser. No. 09/725,621 entitled "Method for Automatically Storing and Reprocessing Patient Specimen's in an Automatic Clinical Analyzer," filed November 30, 2000. The claim for priority was due on March 30, 2002, which is 16 months from the priority filing date. The entire delay between March 30, 2002 and the date of the filing of the accompanying claim for priority was unintentional.

Adjustment date: 11/26/2002 AKELLEY  
10/22/2002 BABRAHA1 00000022 040010 09827045  
01 FC:1454 1280.00 CR

**CERTIFICATE OF MAILING**

I hereby certify that this document is being deposited with the United States Postal Service with sufficient postage as First Class mail in an envelope addressed to: Assistant Commissioner of Patents, Washington, D.C. 20231, Office of Petitions, Box DAC, on this 14 day of October, 2002.

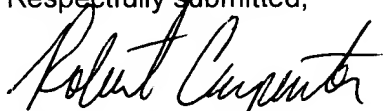
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Maria G. Salgado  
Maria G. Salgado

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Please charge the surcharge of One thousand two hundred eighty dollars and 00/100 (\$1280.00) pursuant to 37 C.F.R. §§ 1.17(t), 1.78(a)(3) and any additional amount required for filing this document to our Deposit Account No. 04-0010. This authorization is provided in triplicate for accounting purposes. No further payments are believed due, however, if any additional fee is due, please charge the fee or any additional amount required for filing this document to our Deposit Account No. 04-0010.

Respectfully submitted,



Robert N. Carpenter  
Registration No. 40,409  
Attorney for Applicants

DADE BEHRING INC.  
Legal Dept. - Patents  
1717 Deerfield Rd., Box 778  
Deerfield, IL 60015-0778  
Phone Contact: 847-267-5365  
Fax Contact: 847-267-5376

**UNITED STATES PATENT & TRADEMARK OFFICE**  
Washington, D.C. 20231

| REQUEST FOR PATENT FEE REFUND                         |                                   |   |                 |          |  |  |  |  |  |  |  |  |
|---|-----------------------------------|---|-----------------|----------|--|--|--|--|--|--|--|--|
| 1 Date of Request: <u>11-12-02</u>                    |                                   | 2 Serial/Patent # <u>09/827045</u>  |                 |          |  |  |  |  |  |  |  |  |
| 3 Please refund the following fee(s):                 |                                   | 4 PAPER<br>NUMBER   | 5 DATE<br>FILED | 6 AMOUNT |  |  |  |  |  |  |  |  |
|   | Filing                            |   |                 | \$       |  |  |  |  |  |  |  |  |
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|   | No Fee Due (Explanation):         | <div style="display: flex; align-items: center;"> <span style="margin-right: 10px;">9</span> <table border="1" style="border-collapse: collapse; text-align: center;"> <tr> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> </tr> </table> </div> |                 |          |  |  |  |  |  |  |  |  |
|   |                                   |   |                 |          |  |  |  |  |  |  |  |  |
| 11 REFUND REQUESTED BY:                               |                                   |   |                 |          |  |  |  |  |  |  |  |  |
| TYPED/PRINTED NAME: <u>Karen Creasy</u>               |                                   | TITLE: <u>Pets. Exmr.</u>   |                 |          |  |  |  |  |  |  |  |  |
| SIGNATURE: <u>Karen Creasy</u>                        |                                   | PHONE: <u>305-8859</u>  |                 |          |  |  |  |  |  |  |  |  |
| OFFICE: <u>DAC for Patents</u>                        |                                   |   |                 |          |  |  |  |  |  |  |  |  |
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| APPROVED: <u>Aliaa Kelly</u>                          |                                   | DATE: <u>11/26/02</u>   |                 |          |  |  |  |  |  |  |  |  |

*Instructions for completion of this form appear on the back. After completion, attach white and yellow copies to the official file and mail or hand-carry to:*

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